

# SENATE BILL REPORT

## SB 6573

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As Reported By Senate Committee On:  
Education, February 6, 1998

**Title:** An act relating to record checks of private school educational employees.

**Brief Description:** Requiring record checks for employees of approved private schools who have regularly scheduled unsupervised access to children.

**Sponsors:** Senators Johnson, Long, Hale, Wood, Winsley, Zarelli, Prince, Deccio, Horn, McCaslin, Morton, Schow, Oke, Rossi, Sellar and Hochstatter.

**Brief History:**

**Committee Activity:** Education: 2/3/98, 2/5/98, 2/6/98 [DPS-WM].

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### SENATE COMMITTEE ON EDUCATION

**Majority Report:** That Substitute Senate Bill No. 6573 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Hochstatter, Chair; Finkbeiner, Vice Chair; Johnson, Rasmussen and Zarelli.

**Staff:** Susan Mielke (786-7422)

**Background:** Generally, classroom teachers in private schools must hold appropriate Washington State certification.

Since 1992, all applicants seeking initial school employee certification, whether for private or public school employment, must undergo a fingerprint-record check to discover any in-state or out-of-state criminal convictions. The applicant is responsible for the \$53 record check fee. In addition, there is a charge for obtaining the applicant's fingerprints, which ranges between \$5 and \$20.

Since 1992, prior to hiring a public school employee who will have regularly scheduled unsupervised access to children, the individual must undergo a fingerprint-record check. In 1996, the state provided funding for all public school employees who have regularly scheduled unsupervised access to children who had not previously had a fingerprint-record check to obtain such a check.

**Summary of Substitute Bill:** All private school employees hired prior to July 1, 1998, who have regularly scheduled unsupervised access to children and who have not previously had a fingerprint-record check must begin the process for a fingerprint-record check by June 30, 1999. The Superintendent of Public Instruction must provide a copy of the record report to the employee.

Approved private schools and their contractors must require a fingerprint-record check when hiring future employees who will have regularly scheduled unsupervised access to children. The requesting entity must provide a copy of the record report to the applicant. An applicant may be conditionally employed pending completion of the investigation. The requirement may be waived if the applicant has had a record check within the previous two years. The approved private school or contractor hiring the employee determines who pays the costs associated with the record check.

**Substitute Bill Compared to Original Bill:** Language was added that approved private schools and their contractors must require a fingerprint-record check when hiring future employees who will have regularly scheduled unsupervised access to children. The requesting entity must provide a copy of the record report to the applicant. An applicant may be conditionally employed pending completion of the investigation. The requirement may be waived if the applicant has had a record check within the previous two years. The approved private school or contractor hiring the employee determines who pays the costs associated with the record check.

**Appropriation:** \$500,000.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill does not provide direct or indirect support of private schools, but provides support for the safety of students. Currently, private schools do not have the opportunity that public schools have to get out-of-state criminal record information on their school employees through a fingerprint-background check. State funding is an important component of this bill to enable private schools to remain affordable to the families they serve.

**Testimony Against:** There is concern that this bill is unconstitutional because public funds would be going to support sectarian private schools.

**Testified:** Rick Wilson, OSPI (concerns); Doug Nelson, PSE (concerns); Stephen Dinger, WFIS (pro); Connie Shaw, Archdiocese of Seattle/Catholic School Board (pro); Dr. Harry Purpur, Superintendent of Catholic Schools (western Washington) (pro); Renee Marquez, St. John's parent (pro); Dan Sherman, St. John's School (pro).